DRAFT March 5, 2004

Easement Grant Application Process
When a Record of Survey is Required

A Record of Survey is required for:

- County roads
- Highways
- Easements across high value lands
- Easements across transition lands
- Utilities
- Upland leases
- Communication sites
- Other grants as determined by the department based upon site specific considerations

- Drainage or irrigation easements
- Railroads
- Aquatic land uses: exemptions are provided for recreational docks and mooring buoys per RCW 79.90.105 and for those permits issued as a Right of Entry

Optional Pre-Submittal

- A proponent <u>may</u> consult with the appropriate DNR region right of way specialist at any time prior to submitting an application.
  - o If the project involves both uplands and aquatic lands, both programs will be included.
  - o Purpose of the meeting:
    - Determine the feasibility of the proposal
    - Discuss options, potential conditioning, mitigation, and identify environmental issues, etc.
    - Determine who should be involved and designate contacts

Application

- If the decision is made to proceed with the project, the proponent must submit an application.
- The application must include a preliminary plat (can be in the form of a planning map, plat, or engineering drawing with the following as a minimum):
  - o Proposed project is clearly marked
  - o Show state trust land (include aquatic crossings, if joint project)
  - o Clearly show facility location in relation to state ownership, e.g., which side of property line or road, highway, ditch, etc.
  - o A plat, meeting the requirements of the Survey Recording Act, Title 58 RCW (Record of Survey), may be submitted at this time, but is not required.
- Schedule a pre-survey meeting with applicant, applicant's surveyor, DNR surveyor and designated contacts*.

Pre-Survey Meeting *(*this can be concurrent with the pre-submittal meeting if an application has already been accepted)*

- Come to agreement on the minimum survey that will meet the requirements of the Survey Recording Act
- Identify infrastructure (highways, power poles, towers, etc.), R/W corridors, easements, etc., which have an existing survey that can be tied to with the new survey.
- For smaller, routine projects, a phone call to the DNR Land Surveyor may suffice.

Note: *The final easement document must include a Record of Survey that complies with the requirements of the Survey Recording Act per Title 58 RCW and WAC 332-130.*

Pre-Work Meeting

- Prior to the start of construction, representatives from the applicant and DNR (upland and aquatic, if applicable) must meet to develop a plan of operations, which will include, but not be limited to:
  - Construction schedule
  - Timing restrictions
  - Mitigation measures
  - Safety concerns
  - Restoration of the R/W

As-Built Plats

- Final plats must meet the requirements of the Survey Recording Act, Title 58 RCW.
- Platting standards are available from the R/W specialists in the region offices.
- GPS produced plats may be submitted if they are generated by a <u>licensed land surveyor</u>.
- If plats were submitted and <u>approved prior to construction</u>, any final location of the facility that deviates from the original easement area must be re-surveyed and submitted as an as-built plat.
- Bonding in the amount of the estimated cost to produce the survey will be a requirement of the easement and secured to the DNR prior to the DNR signing the easement.

Next Steps

DNR will develop a page on the Department of Natural Resources website that will provide access to:
- Application for upland or aquatic right of way that can be filled out by hand, or electronically*
- Map of DNR regions and boundaries
- List of region contacts – addresses and phone numbers
- Olympia Land Survey Section contact, address and phone number
- Link to survey requirements and platting standards
- Link to statutes that give DNR authority to grant easements
- Sample easement templates
- Example of a completed easement document

*Currently editing and revising the joint upland/aquatic application in response to feedback from users.